

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

MICHAEL D. GIBBONS,  
*Plaintiff*

v.

JOHN C. MALONE,  
*Defendant*

and

DISCOVERY COMMUNICATIONS,  
INC.,  
*Nominal Defendant*

Case: 10-Civ-8640  
(BSJ/MHD)

NOTICE OF APPEAL

**ECF Case**

NOTICE OF APPEAL

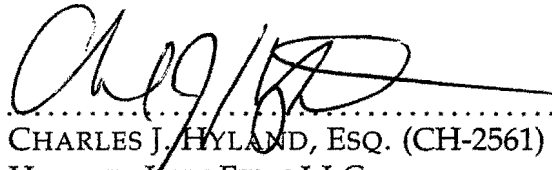
NOTICE IS HEREBY GIVEN that MICHAEL D. GIBBONS appeals to the United States Court of Appeals for the Second Circuit from the Judgment entered in this action on August 8, 2011 by the United States District Court for the Southern District of New York (Jones, J.) and attached hereto as Exhibit A granting defendants' motion to dismiss for failure to state a claim for the reasons set forth in an August 8, 2011, Memorandum & Order.

Dated: *September 02, 2011.*

Respectfully submitted,



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A handwritten signature in black ink, appearing to read 'CH/10/11', is written over a horizontal dotted line.

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